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15 Attorneys for Plaintiff
UNITED STATES OF AMERICA
16

17 UNITED STATES DISTRICT COURT

18 FOR THE CENTRAL DISTRICT OF CALIFORNIA

19 UNITED STATES OF AMERICA,

20 Plaintiff,

21 v.

22 DAVID GILBERT SAFFRON,

23 Defendant.
24

No. CR 22-276-DSF

NOTICE OF RECEIPT OF
CONFLICT WAIVER

25 The United States of America, by and through its counsel of
26 record, the United States Attorney for the Central District of
27 California, the Chief of the Fraud Section of the Criminal Division
28 of the United States Department of Justice, Assistant United States

1 Attorney James C. Hughes, and Trial Attorneys Kevin Lowell and
2 Theodore M. Kneller, hereby files this notice regarding the
3 government's receipt of a purported conflict waiver regarding Brad
4 Lee Axelrod's representation of defendant.

5 Prior to the motion hearing conducted by the Court on January
6 9, 2023, defendant provided both the government and the Court with
7 copies of a document entitled "CONFLICT WAIVER OF INTEREST." The
8 letter was signed by defendant and purported to be a conflict waiver
9 regarding Brad Lee Axelrod's representation of defendant. At the
10 conclusion of the hearing on January 9, 2023, the Court requested
11 that the government file a copy of this waiver on the docket in this
12 case. A true and correct copy of the "CONFLICT WAIVER OF INTEREST"
13 received by the United States is attached hereto as Exhibit A.

14 Dated: 1/12/2023

Respectfully submitted,
E. MARTIN ESTRADA
United States Attorney

16 SCOTT M. GARRINGER
17 Assistant United States Attorney
Chief, Criminal Division

18 GLENN S. LEON
19 Chief, Fraud Section
Criminal Division,
20 U.S. Department of Justice

21 /s/
22 THEODORE M. KNELLER
KEVIN LOWELL
23 Trial Attorneys, Fraud Section
Criminal Division,
24 U.S. Department of Justice

25 JAMES C. HUGHES
Assistant United States Attorney

26
27 Attorneys for Applicant
UNITED STATES OF AMERICA
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CONFLICT WAIVER OF INTEREST

This letter contains the conflict waiver regarding Brad Lee Axelrod's ("Mr. Axelrod") representation of you in connection with finding other permanent counsel. As you are aware, Mr. Axelrod was present in at least one presentation to potential investors, which could result in Mr. Axelrod needing to testify as a witness in your case. The U.S. Attorney has also indicated that they intend to call Mr. Axelrod as a witness.

The rules of professional conduct that govern attorneys' ethical responsibilities permit Mr. Axelrod to continue to represent you only if you consent after weighing the benefits and risks. It will be Mr. Axelrod's duty to be loyal to your interests. Mr. Axelrod will need to preserve your confidences. Mr. Axelrod will also need to refrain from disclosing to anyone else any confidential information you provide.

It is up to you to decide whether you believe that Mr. Axelrod can provide you with zealous and effective representation, consistent with the ethical principles mentioned above, in this matter. You must also be satisfied with Mr. Axelrod's ability and commitment to abide by these principles and to provide zealous and effective representation.

If, after evaluating the considerations raised in this letter, you consent to Mr. Axelrod's continued representation of you in this matter, please sign below in the space provided and return via electronic mail to me.

CONSENTED AND AGREED TO:

November 28, 2022

By: 
David G. Saffron

EXHIBIT A

